

Application No.: 10/578,749  
Art Unit: 3651

Amendment under 37 CFR §1.116  
Attorney Docket No.: 062516

### **REMARKS**

Please reconsider the application in view of the foregoing amendments and the following remarks.

### **Status of Claims**

Claims 1-26 are pending in the present application. Claim 1 is herein amended. No new matter has been entered.

### **Examiner Interview**

Applicant greatly appreciates the courtesy extended by the Examiner in the telephonic interview on January 11, 2010. Amendments to claim 1 incorporating “a chainless container-transporting device” in the body of claim 1 was discussed. It was agreed that by this amendment, the claims in the present application appear to be in a condition for allowance.

### **As to the Merits**

As to the merits of this case, the Examiner sets forth the following rejections:

Claims 1-5, 16, 21, 22, 24 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Carmen** (U.S. 5,090,557).

Claims 6-8 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Carmen** (U.S. 5,090,557) in view of **Hill** (U.S. 4,590,643).

Claims 9-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Carmen** (U.S. 5,090,557) in view of **Proksa** (U.S. Patent 4,863,010).

Claim 23 was rejected under 35 U.S.C. §103(a) as being unpatentable over **Carmen** (U.S. 5,090,557) in view of **Jacobs** (U.S. 2005/0076613).

Claim 25 was rejected under 35 U.S.C. §103(a) as being unpatentable over **Carmen** (U.S. 5,090,557) in view of **Lohse** (U.S. 3, 017,731).

Applicants herein amend claim 1 with the allowable subject matter according to the agreement reached during the Examiner Interview. In view of the amendment, it is respectfully submitted that each of the rejections set forth above is no longer viable. Therefore, Applicant submits that this amendment places the claims in the present application in condition for allowance. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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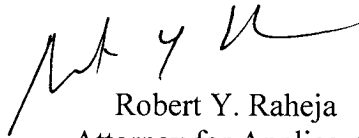
**Conclusion**

Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated November 12, 2009, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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